

REMARKS

This is a response to the office action dated December 14, 2009. In this action, all 17 pending claims (Claims 4-20) are rejected. This response addresses all rejected claims.

Interview with Examiner on 3/2/2010

Applicants thank Examiner Lanier for the courtesies shown during telephonic interview on 3/2/2010. The following claims were discussed during the interview.

Claim rejection under 35 U.S.C. § 112

The office action rejected claims 4-20 as being indefinite due to the language in independent claims 4 and 15. The objected language, --without the need to install special software on the second computer-- (Claim 1) or --without installing any special software on the second computer-- (Claim 15), is deleted. In addition, in claim 1, the language -- via an Internet browser program based on a secure access authorization key -- has been deleted. These changes do not add new matter. Examiner is respectfully requested to review and enter the amendment.

Claim rejections under 35 U.S.C. § 102(b) or 35 U.S.C. § 103(a)

Claims 4-20 forming Group I of the restricted set of claims was presented for examination. All pending claims were rejected under 35 U.S.C. § 102(b) or 35 U.S.C. § 103(a) based on a primary set of related references cited by the Examiner, collectively called "ReachOut references."

Applicants amended independent claims 4 & 15 to clarify the features of these claims by reciting that the first computer was a "server" computer and not two client computers, which was the thrust of the cited art. Additionally Applicants have amended

the independent claims to indicate that the server computer provides a plurality of users with the online library service. Claims 4 & 15 are also amended to strike the word --being-- and inserting in its place the word "including" clarify the features of the claim. Claims 4 & 15 are further amended to add "a link to a web page" as one of the various information objects or digital items that could be added to the online library. Support for this is at page 30, line 21. All the changes are supported by the disclosure and do not add any new matter. Examiner is respectfully requested to review and enter the Amendment.

Amendment to Claim 5

Claim 5 is amended to correct certain informalities in light of the changes made to claim 4. The definite article "the" is replaced with the indefinite article "an" in the second line at two places. Grammatical errors or informalities in the third and the fourth lines of the claim are also corrected. These changes do not introduce new matter. Examiner is respectfully requested to review and enter the amendment.

Amendment to Claim 7

Claim 7 is amended to recite that the method of transmitting the information object to the personal library may comprise one or more of the methods such as E-mail, remote copy program (rcp), hyper text transfer protocol (HTTP), file transfer protocol (ftp), Unix-to-Unix-Copy program (UUCP), cut-and paste, copy-and-paste, and drag-and-drop. Support for this is in the Specification at page 28, lines 19-23. No new matter is added as a result of this change. Examiner is respectfully requested to review and enter the Amendment.

Amendment to Claims 8 and 9

Claim 8 is amended by striking the word --user's-- and inserting at the same place the word "online" to describe the library.

Claim 9 is amended to strike the words --user's personal-- and inserting in their stead the word "online" to describe the library. No new matter is added with either of these changes. Examiner is respectfully requested to enter the amendments.

Amendment to Claim 10

Claim 10 is amended to depend from claim 4 rather than claim 9 and to further elaborate the transmitting step of claim 4 to state:

transmitting the information object upon (a) selecting an area on a web browser;
(b) clicking on an area in a web page; or (c) uploading.

Support for this language is at page 12, lines 16-20 (giving examples of several methods of "selection"), page 30, line 30 to page 31, line 2 (using selection to transmit a digital item to the online library); page 30, line 21-24 (clicking); page 28, line 1 (uploading); and Fig. 4 (depicting selection and uploading via a web page).

Accordingly, no new matter is added with this change. Examiner is respectfully requested to review and enter the Amendment.

Amendment to Claims 12-14

Claim 12 is amended to incorporate the features of claim 13 as well as the feature from Specification at page 33, lines 2-3 (removing a virus from the information object). This change therefore does not add any new matter. Claims 13 and 14 are canceled. Examiner is respectfully requested to review and enter the Amendment.

Argument regarding Claims 15-20: "formatting" a response message

Independent claim 15 is further amended by adding the feature of "determining" a format into which a response message is to be transformed via a handshaking protocol. Support for this feature is in the Specification at page 8, lines 9-15. No new matter is added as a result of reciting this feature. Examiner is respectfully requested to review and enter the amendment. The newly added language makes the independent claims patentably distinguishable from the cited art.

The office action states that ReachOut references disclosed the idea of "formatting" a response to be sent to the second computer. In particular, the office action states that 3 Com2 reference disclosed that the client computer is "given a confirmation message", which according to the office action, "meets the limitation of formatting a response, and transmitting the formatted response to a device designated by the requester." It is respectfully submitted that sending a confirmation message is not the same as formatting a response to suit the needs of a client device. The Specification describes this feature as follows:

Suppose a requester accesses the library using a device that is capable of retrieving and using a digital item without any need for further formatting, the digital item is downloaded to the device directly. When, on the other hand, a requester's device requires further formatting, software resident on the server computer or the device may initiate a handshaking protocol to establish the type of formatting required. For example, the requester's device may be capable of handling only a text-based interface, only a certain types of images such as only MPEG images, has a limited storage capability, or a limited viewing area. The requester's device may have other limitations on resources such as size and type of memory device; attached or attachable storage devices; input/output capability such as pointing device; voice recognition; text-to-speech capability; video

input/output capability; numeric or alphanumeric keyboard; processing power; type of operating environment; whether or not a downloaded item can be locally executed; type of encryption/decryption; type of data communication or other protocol handled; file types; type and size of the viewing area or the like. In this case, the server determines the appropriate protocol that can be used and formats the digital item to fit the device that accesses the information. In an embodiment, the server formats the content appropriately to fit the requirements of the requester's device. To accomplish this, the server may have a formatter program that formats the digital item before downloading. In such cases, the server preferably has a database of required formats specified, and stored rules for formatting. In case a different data communication protocol is to be used to enable the requester device to access a requested digital item, the server may select an appropriate protocol translator—the server invokes the selected translator, inputs the digital item to the selected translator, and directs the output to the requester's device.

Specification at page 8, lines 9-31. The type of “formatting” required in the instant claim is not the same as sending a confirmation message. The same basis is given for rejecting claims claim 17. Reconsideration is respectfully requested.

As to dependent claim 18, stating that “stored rules” would be used to format a message, which is not disclosed in the cited art in so far as the ReachOut references do not discuss formatting itself. Applicants respectfully request reconsideration.

As to dependent claim 19, a further feature of the invention is to select an appropriate data communication protocol to send the digital item to a recipient. The cited art does not disclose any such selection of data communication protocols. Reconsideration is respectfully requested.

New Claims

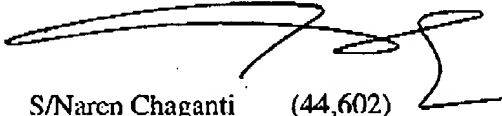
Claims 24-28 are new. These are directed toward sharing copyright-protected digital item by users of the online library. No new matter is added with the addition of these claims. Support for the language used in the new claims is available in the Specification at pages 5-7 (Summary of the Invention). Examiner is respectfully requested to review and enter the amendment. Adding these new claims does not require any fee. See the attached fee computation sheet.

Conclusion

In light of the claim amendments, further examination and an early notice of allowance are requested. No fee is believed to be due with this paper.

Respectfully Submitted,

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S/Naren Chaganti (44,602)

Naren Chaganti
713 The Hamptons Lane,
Town & Country, MO 63017
(650) 248-7011 phone

One of the Applicants

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Date: March 15, 2010



S/Naren Chaganti (44,602)

Naren Chaganti